

Due Date: July 14, 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)	
)	
Inventor: Dianne S. Phillips et al.)	Examiner: Nicholas Augustine
)	
Serial #: 10/656,015)	Group Art Unit: 2179
)	
Filed: September 5, 2003)	Appeal No.: _____
)	
<u>Title: OBJECT VIEWER EDITOR CONTROL</u>)	

REPLY BRIEF OF APPELLANTS

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR §41.41, Appellants hereby submit the Appellants' Reply Brief on Appeal from the final rejection in the above-identified application, as set forth in the Office Action dated August 8, 2007, the Advisory Action dated October 22, 2007, the Notice of Non-Compliance mailed on February 5, 2008, the Supplemental Appeal Brief filed on March 3, 2008, and the Examiner's Answer dated May 14, 2008

No fee is due at this time. Please charge any additional fees or credit any overpayments to Deposit Account No. 50-0494 of Gates & Cooper LLP.

I. REAL PARTY IN INTEREST

The real party in interest is Autodesk, Inc., the assignee of the present application.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences for the above-referenced patent application.

III. STATUS OF CLAIMS

Claims 1, 3-8, 10-15 and 17-21 are pending in the application.

Claims 2, 9, and 16 have been cancelled.

Claims 1, 3-8, 10-15 and 17-21 stand rejected under 35 U.S.C. §103(a) as being obvious in view of the combination of Clevenger et al.,

http://www.daz3d.com/program/bryce/Bryce5_Manual_DAZ.pdf (Clevenger) and Parametric Technology Corporation et al.,

http://www.ptc.com/company/mailexpress2OO2021download_guide.htm (PTC)

Claims 7, 14 and 21 stand rejected under 35 U.S.C. §103(a) as being obvious in view of the combination of Clevenger and SkySof Software, CAD.OCX 1; http://www.download.com/CAD-OCX/3000-6677_4-1400022.html?tag=1st-2-1 (SkySof).

All of the above rejections are appealed herein.

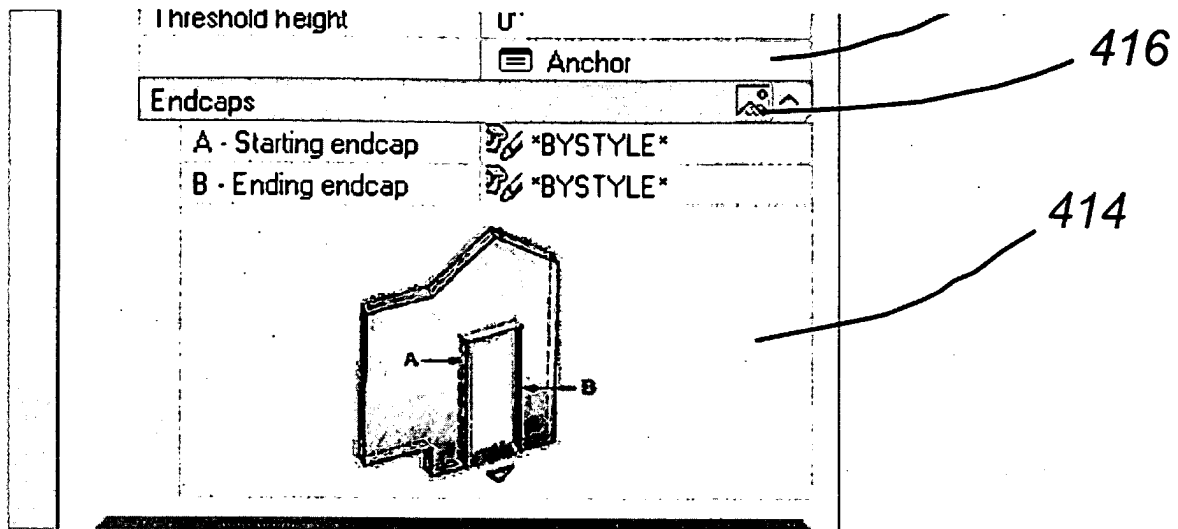
IV. STATUS OF AMENDMENTS

No amendments to the claims have been made subsequent to the final Office Action.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Briefly, Appellants' invention, as recited in independent claims 1, 8, and 15, is generally directed to the use of a properties palette in a computer graphics program. More specifically, a properties palette having object properties and corresponding values for the object are displayed in a properties palette. In addition, a graphical illustration of the object is displayed in the properties palette. Further, the claims provide that the properties in the properties palette are keynoted to refer to keynotes displayed in the graphical illustration in the properties palette. Thus, from within the properties palette, you can graphically see which properties correspond to which actual attributes of the displayed object.

Appellants refer to FIG. 4, labels 414 to illustrate the keynoting. Below is an enlarged portion of FIG. 4 illustrating a properties palette with keynotes:



The support in the specification for each of the independent claim limitations and the structure, material, or acts corresponding to each means plus function limitation follow:

Claim Limitation	Specification Support
1. A method for displaying a graphical illustration of an object in a computer graphics program, comprising:	Page 2, lines 15-17; Page 3, lines 10-22.
obtaining an object in a computer graphics program;	Page 15, lines 2-4; FIG. 7, step 700.
displaying a properties palette for the object, wherein the properties palette comprises one or more object properties having corresponding property values;	Page 9, lines 10-20; Page 15, lines 10-12; FIG. 4, property palette/tree 400; FIG. 7, step 702.
displaying a graphical illustration of the object in the properties palette, wherein one or more of the object properties, in the properties	Page 13, line 20-page 14, line 8; Page 15, lines 12-21; FIG. 4, keynoted illustrations 414; FIG. 7, step 704.

palette, are keynoted to refer to corresponding keynotes displayed in the graphical illustration in the properties palette.	
8. An apparatus for displaying a graphical illustration of an object in a computer graphics program of a computer system comprising:	Page 2, lines 15-17; Page 3, lines 10-22.
(a) a computer having a memory;	Page 7, lines 9-23, FIG. 1, computer 100.
(b) an application executing on the computer, wherein the application is configured to:	Page 3, lines 10-22; Page 7, lines 16-23; FIG. 1, graphics program 108.
(i) obtain an object in a computer graphics program;	Page 15, lines 2-4; FIG. 7, step 700.
(ii) display a properties palette for the object, wherein the properties palette comprises one or more object properties having corresponding property values;	Page 9, lines 10-20; Page 15, lines 10-12; FIG. 4, property palette/tree 400; FIG. 7, step 702.
(iii) display a graphical illustration of the object in the properties palette, wherein one or more of the object properties, in the properties palette, are keynoted to refer to corresponding keynotes displayed in the graphical illustration in the properties palette.	Page 13, line 20-page 14, line 8; Page 15, lines 12-21; FIG. 4, keynoted illustrations 414; FIG. 7, step 704.

15. An article of manufacture comprising a program storage medium readable by a computer and embodying one or more instructions executable by the computer to perform a method for displaying a graphical illustration of an object in an object-oriented computer graphics system, the apparatus comprising:	Page 2, lines 15-17; Page 3, lines 10-22; Page 22, lines 16-19.
means for obtaining an object in a computer graphics program;	Means plus function limitation. Structure, material or acts described in the specification at page 15, lines 2-4; FIG. 7, step 700.
means for displaying a properties palette for the object, wherein the properties palette comprises one or more object properties having corresponding property values;	Means plus function limitation. Structure, material or acts described in the specification at page 9, lines 10-20; Page 15, lines 10-12; FIG. 4, property palette/tree 400; FIG. 7, step 702.
means for displaying a graphical illustration of the object in the properties palette, wherein one or more of the object properties, in the properties palette, are keynoted to refer to corresponding keynotes displayed in the graphical illustration in the properties palette.	Means plus function limitation. Structure, material or acts described in the specification at page 13, line 20-page 14, line 8; Page 15, lines 12-21; FIG. 4, keynoted illustrations 414; FIG. 7, step 704.
17. The article of manufacture of claim 15, further comprising means for highlighting the keynote displayed in the graphical illustration when the cursor is passed over the corresponding object property.	

18. The article of manufacture of claim 15, further comprising means for highlighting one or more keynoted object properties when the cursor is passed over the corresponding keynote or property displayed in the graphical illustration.	Means plus function limitation. Structure, material or acts described in the specification at page 15, lines 16-21; FIG. 4, keynoted illustrations 414.
19. The article of manufacture of claim 15, further comprising means for toggling the visibility of the illustration using a show/hide illustration button.	Means plus function limitation. Structure, material or acts described in the specification at page 5, lines 9-13; Page 14, lines 1-4; FIG. 4, show/hide illustration button 416; Page 15, lines 10-15; FIG. 7, step 704.
20. The article of manufacture of claim 15, further comprising means for changing the view of the object displayed in the graphical illustration using a shortcut menu.	Means plus function limitation. Structure, material or acts described in the specification at page 11, line 22-page 12, line 6; FIG. 5, menu 502; Page 16, lines 1-3.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1, 3-8, 10-15 and 17-21 are unpatentable under 35 U.S.C. § 103(a) as being rendered obvious in view of the combination of Clevenger and PTC.

Whether claims 7, 14 and 21 are unpatentable under 35 U.S.C. §103(a) as being obvious in view of the combination of Clevenger and SkySof.

Whether a Proper PTO Form 892 has Become Part of the Record.

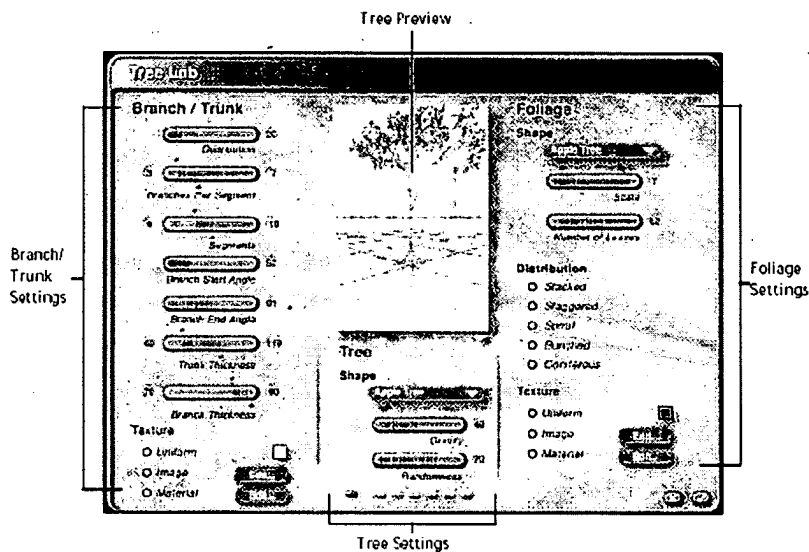
VII. ARGUMENT

A. Claims 1, 3-8, 10-15 and 17-21 are Patentable under 35 U.S.C. § 103(a) Over Clevenger and PTC.

1. Independent Claims 1, 8, and 15

In rejecting the display of the properties palette, the final Office Action relies on PDF page 130 of Clevenger, Figure 1, col. 1:

FEATURES OF THE TREE LAB



The Tree Lab is divided into four sections:

- Tree Preview — lets you preview changes to your tree.
- Branch/Trunk — lets you control the size of the tree trunk; the placement, number, and thickness of branches; and the materials used for the trunk and branches.
- Tree — lets you control the overall shape of the tree, the randomness of the tree, and how gravity affects the tree.
- Foliage — lets you control the overall shape of individual leaves, the scale and number of leaves, the distribution of the leaves, and the materials used for the leaves.

TREE PREVIEW

The Tree Preview, located in the center of the Tree Lab, displays the resulting tree object based on changes you make to the settings in the Tree Lab. The Tree Preview does not update automatically; after you have made a series of changes, click the Tree Preview to update it.

The Tree Preview has two preview modes: Normal View and Up Close. Normal View displays the entire tree object. Up Close displays a more detailed view by zooming in on the tree object.

As can be seen, such text of Clevenger merely describes a tree preview screen that displays a resulting tree object based on changes made in a “tree lab”. As stated explicitly in Clevenger, the

tree preview does not update automatically (see arrow). Instead, after a series of changes are made, the tree preview must be clicked to update the screen. Of particular note is that Clevenger lacks any discussion about keynotes and displaying such keynotes in a properties palette.

The next claim element provides that the object properties in the properties palette are keynoted to refer to corresponding keynotes displayed in the graphical illustration in the properties palette. First, the Office Action alleges that Clevenger teaches the use of keynotes of object properties within the same window/palette (pages 230-238). However, the next sentence of the rejection provides that Clevenger does not specifically mention the use of keynotes in the object palette. Thereafter, the Action relies on PTC to teach the keynote aspects. Pages 230-238 of Clevenger illustrate object attribute icons that appear as a list of buttons along the right side of an object's bounding box. Clevenger describes that the buttons let you perform various actions.

However, the ability to click a button to edit an object's properties is not even remotely similar to keynoted properties of an object. As is known, keynoting a drawing refers to providing labels within a drawing that are keyed or noted to correspond with a reference elsewhere (e.g., within text). In fact, keynoting is common in patent application drafting when a drawing contains labels or keynotes and such labels/keynotes are referred to in the text of a specification. To equate the use of a button or object attribute icon with a label of a part in a drawing or a keynote in a drawing is wholly without merit. In this regard, without a keynote, the appearance of a button (without clicking the button) would not provide any information as to what property of a drawing is being adjusted. In other words, if a button or object attribute icon were displayed next to an object, the user would have no way to know which portion of the actual object corresponds to the object attribute in the icon.

The present claims provide that the object properties displayed in the properties palette are keynoted to correspond to the keynotes displayed in the graphical illustration. In other words, there are two locations for the keynotes to appear – once in the properties palette, and next in the actual graphical illustration. No such keynotes appear anywhere in Clevenger.

The Office Action also relies on PTC. Applicants respectfully traverse such a rejection. PTC merely describes the ability to create a bill of materials consisting of a report table. A bill of

materials (or BOM) merely describes a product in terms of its assemblies, sub-assemblies, and basic parts and consists of a list of parts (see en.wikipedia.org/wiki/Bill_of_materials).

Such a teaching of a BOM is clearly differentiable from the present invention. First, the BOM is not part of a properties palette. A properties palette has a specific meaning as understood in the art and as set forth in the claims and specification. In this regard, the claims provide that the properties palette have object properties and corresponding values. A BOM does not even remotely describe or allude to such a palette. Instead, a BOM is merely a static table listing the various components of a product. Further, the BOM does not have object properties having corresponding property values as claimed.

The present invention provides distinct advantages by having the ability to have keynoted properties within the properties palette. For example, see paragraphs [0010] and [0011] of the present invention:

[0010] Object viewers may be used to provide a preview image or keynoted illustration of an object. In the prior art, such an object viewer is presented in a separate window/dialog from that where the properties may be viewed and edited. Accordingly, the user must undertake multiple actions to actually view a graphical representation of an object and the properties (i.e., multiple windows must be physically opened). Such a requirement and use of multiple actions/tasks is inconvenient and cumbersome.

[0011] Accordingly, what is needed is the capability to view an object's properties while simultaneously viewing a graphical representation of the object that may (or may not) be dynamically updated as the properties are changed.

In view of the description of the prior art, the BOM clearly falls within the prior art. Namely, the BOM is not within a properties palette and provides a static listing. However, a properties palette provides dynamic property values which can easily be identified in the displayed illustration via the keynotes. Consequently, PTC does not even remotely teach, describe, or suggest the use of a properties palette or keynotes in such a properties palette.

Further, there is not even a remote suggestion to combine the BOM of PTC with the tree view or object attribute icons of Clevenger. Further, even if combined, the present invention would not result. Instead, the combination would produce Clevenger's icons to be used to edit property values and a completely separate BOM without links from the property icons to the displayed graphical keynotes.

In response to the above arguments, the Advisory Action provides:

Although the cited references use differing terminology than that of the immediate

application it is believed that the functionality as taught by Clevenger in view of PTC and Clevenger in view of SkySof Software is the same functionality as taught by the immediate application in such that Clevenger teaches a three dimensional object being displayed on an object properties palette, wherein the current object being displayed has editing controls adjacent to the three dimensional object (pg. 121) which is separate from the main view of the application (pg.8). Clevenger also teaches a means of keynoting an objects properties, wherein a graphical indications are displayed to the user to indicate tools and effected elements/properties of the three dimensional scene being created by the user (see page 230, column 2) wherein described "...The Object Attribute icons that appear next to an object's bounding box let you access different editors and set object attributes ..."Clevenger clearly gives all the means necessary to provide object parameter keynotes with graphical indications to a three dimensional object. As for the teachings of PTC, it was to be understood that the combination of PTC into Clevenger was made for more supporting evidence that it would be obvious to one of ordinary skill in the art to use a better graphical indication was depicted (PDF pg. 172). As taught by PTC are a bill of materials (or BOM) which is a list of components that make up an article (a listing of parts) which depicted on (PDF pg.172) is the graphical indication of using keynotes relating to the components that make up an article. This is believed to be the same functionality of a graphical object (as depicted on PDF pg.172; graphical object of an article) components are keynoted to provide to the user the indication of where components on an article are located. The combination of PTC into Clevenger would allow for one skilled in the art to see that the elements being keynoted as referenced from a list (PTC) on the same palette window (Clevenger). Therefore one of ordinary skilled in the art at the time of the invention was made would be able to see that combination of PTC into Clevenger teaches the use of keynotes in a property palette and keynoting properties that are displayed in a properties palette. Such that Clevenger teaches a properties palette with a 3D object displayed in the properties palette with a 'list' of associated properties (components which make up the object; branch/trunk, tree, foliage, etc) that when interacted with by the user causes the 3D object to change in display and PTC teaches a 'list' of components (parts of a 3D object which is related to the parts of the 3D object of Clevenger which can be changed by user interaction) that are keynoted with a 'list' of components to provide to the user an easy indication of where the components are located on a 3D object. Therefore as the current state of the claim language the final rejection will be maintained.

Appellants respectfully disagree with and traverse such assertions. The Advisory Action asserts that the claimed keynotes in the properties palette are equivalent to Clevenger's graphical indications displayed to the user to indicate tools and effected elements/properties of the 3D scene being created by the user (relying on page 230, column 2). Clevenger page 230 provides:

RESTORING Objects

Every object in Bryce has a default size and shape. When you create an object, the default size is used to define its size and placement.

As you transform and edit objects, these default properties are discarded and replaced. However, you can return an object to its original state at any time.

The Restore control returns the object to its default size and orientation, regardless of the number of transformations you've applied to it.



When you use the Restore control, the cursor changes to a hand when passed over the object's bounding box.

TO RESTORE AN OBJECT:

- Hold down Control/Ctrl+Alt and click one of the bounding box handles.

Editing Object Attributes

Every object in Bryce has several attributes that let you control the object's size, position, rotation, Boolean state, preview, and whether or not it's locked.

There are two ways of editing an object's attributes: the Object Attributes dialog and the Object Controls that appear next to the object's bounding box.

Object Attributes Dialog

The Object Attributes dialog contains three tabs which let you set various object properties:

- General contains options that let you set the object name, position, size, rotation, and display quality.

- Linking contains options that let you set up a link between two objects. You can also use this tab to set up a tracking link.
- Animation contains options for controlling the display of motion paths and setting the motion path type.

To display the Object Attributes dialog:

- 1 Select an object.
- 2 Choose Objects menu > Edit Attributes, or press Command-Option-E/Ctrl+Alt+E, or click the A button next to the object's bounding box.

Object Attribute Icons

The Object Attribute icons appear as a list of buttons along the right side of an object's bounding box. The icons that appear in this list vary depending on the type and number of objects selected.

These icons let you:

- access the Object Attributes dialog, the Material Composer and any editors associated with the object
- group objects in a selection
- add objects to families
- link objects
- set up object tracking



The Object Attribute icons that appear next to an object's bounding box let you access different editors and set object attributes.

As can be clearly seen, the object attribute icons are not even remotely similar to keynoted

properties as claimed. In this regard, object icons without keynotes or labels that identify where the property is reflected in another area of the graphical illustration, cannot possibly teach or suggest the presently claimed limitations.

The Advisory Action states that Clevenger provides all of the means necessary to provide object parameter keynotes with graphical indications to a 3D object. Providing the means to do something does not teach the invention as claimed. Further, Appellants traverse the assertion that Clevenger's icons provide the means necessary to have keynoted properties in a properties palette with corresponding keynotes displayed in a graphical illustration as claimed.

The Advisory Action continues and reasserts that PTC's BOM is equivalent to the claimed keynotes. Appellants submit that as described above, a BOM is not even remotely similar to the claimed keynotes. Again, the BOM is static and provides a list of materials. PTC's BOM is described on page 6-18 (Examiner marked as page 172):

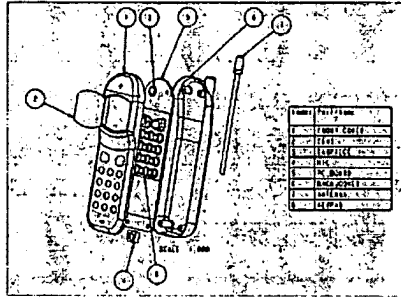
Show BOM Balloons

BOM balloons are the finishing touch to the first sheet. First you'll select an existing repeat region as a BOM balloon region. Then all you need to do is choose to show the balloons, and arrange them as you want them.

1. Click Table > BOM balloon > Set Region. You are prompted to select a region in the table.
2. Because the table has only one region, you can click anywhere in the table. The region is selected.
3. Now, under the BOM Balloons menu in the Menu Manager, click Show. You are prompted to select the view in which to show BOM balloons.
4. Click the general view. The BOM balloons are added to the view.

To clean up the BOM balloons layout, you can select and drag each balloon to a new location. You can also click the right mouse button for a selected balloon and use the Mod Attach command to select a new attachment edge on the object.

Exploded view with BOM balloons



172

As can be clearly seen, the BOM is static and does not have object properties with corresponding property values in the properties palette. Instead, there are merely labels with part names that are static and do not change. In this regard, PTC's BOM falls well within the prior art and does not and cannot teach nor render obvious the claimed invention. Further, the BOM fails to teach the claim limitations for which it is relied upon.

In this regard, the claims provide for both the graphical illustration and the objects having corresponding property values to both be displayed within the properties palette. Nowhere in the BOM or in Clevenger is there even a remote possibility to have all of the elements displayed within a

properties palette as claimed.

In response to the above arguments, the Examiner's Answer sets forth various arguments. Initially, the Examiner first states that Applicant describes "keynoting as a way of indicating to the user where actions are going to be taken place." Appellants respectfully disagree. Nowhere in the above text does Appellant suggest that keynoting is a way of indicating to the user where actions are going to be taken place. Instead, as can clearly be seen above, Appellants stated:

As is known, keynoting a drawing refers to providing labels within a drawing that are keyed or noted to correspond with a reference elsewhere (e.g., within text). In fact, keynoting is common in patent application drafting when a drawing contains labels or keynotes and such labels/keynotes are referred to in the text of a specification. To equate the use of a button or object attribute icon with a label of a part in a drawing or a keynote in a drawing is wholly without merit. In this regard, without a keynote, the appearance of a button (without clicking the button) would not provide any information as to what property of a drawing is being adjusted. In other words, if a button or object attribute icon were displayed next to an object, the user would have no way to know which portion of the actual object corresponds to the object attribute in the icon.

Stating where actions are going to be taken place is not part of keynoting. Instead, keynoting refers to where a property is located in a drawing - and not where an action is taking place.

The Answer continues and reasserts that controls displayed next to a 3D object as shown on page 230 of Clevenger shows icons that when acted upon effect the presentation of the 3D object. Again, using an icon to edit an object is not what the claims require nor is it what they are directed towards. In this regard, an icon is not part of a properties palette, and are not keynoted to object properties (in the properties palette) to refer to corresponding keynotes displayed in a graphical illustration in the properties palette (as explicitly claimed).

The Answer then states that the term "keynote" is not commonly known in the art of graphical user interfaces but is known in literature, music, or public speaking. Again, the claims are explicit in establishing how keynotes are used and it is clear that a keynote is displayed in both a graphical illustration and with an object property and therefore the term cannot apply to either music or public speaking. Further, despite the Examiner's suggestion that such a term is not known in the field, the Examiner then relies on PTC and repeatedly states how keynoting is provided therein. Such statements in the Answer are contradictory.

The Answer continues with respect to the reliance on PTC and states that it was used "more as supporting evidence that it would be obvious to one of ordinary skill in the art to use a better graphical indication was depicted (layout)(PDF pg. 172)." Appellants again note that page 172

merely displays a bill of materials (BOM) that falls well within the prior art and does not read on the present claims, explicitly or implicitly. Instead, the BOM is a static listing that is not within a properties palette and does not have object properties displayed with corresponding properties values as claimed.

The Examiner continues to combine the two reference that make use of icons and a standard prior art static BOM which even if combined would not result in the claimed properties palette. Again, the claimed properties palette has object properties with corresponding property values. Further, the properties in the palette are keynoted to refer to corresponding keynotes displayed in a graphical illustration in the properties palette. Such a unique properties palette is wholly and completely lacking from any of the cited references, either alone or in combination.

On page 10 of the Answer, the Examiner asserts that Clevenger teaches a properties palette with a 3D object displayed with a list of associated properties (components which make up the object; branch/trunk, tree, foilage, etc.). However, Appellants note that such properties are not keynoted as claimed. Appellants further direct the attention of the board to the arguments set forth above that clearly distinguish both Clevenger, PTC, and their combination from the presently claimed invention.

In view of the above, Appellants respectfully request reversal of the rejections.

2. Dependent Claims 2, 9, and 16 Have Been Cancelled

3. Dependent Claims 3, 10, and 17

These claims provide for highlighting the keynote displayed in a graphical illustration, when the cursor is passed over the corresponding object property (all within the properties palette). In rejecting this claim, the final Office Action admits Clevenger fails to specifically mention highlighting. Instead, PTC PDF page 34, paragraph 1 is used to reject this claim limitation. PTC page 34 paragraph 1 provides:

Datums are any of the datum objects: planes, axes, or datum points. Primary Items are complete objects or features. If you use this mode, you will see the various component features of the model highlighted in the Model Tree as you select their surfaces in the graphic window. (The opposite is also true—when you select a feature in the Model Tree, the feature is highlighted in the window.) You would use the Primary Item mode to select whole features, including all edges and surfaces, for editing or removing, for example.

Such text describes the ability to highlight a surface in a model tree when the surface is selected in a graphic window (and vice versa). However, such text does not refer to the BOM which is relied upon for the keynote aspects of the present claims. In this regard, the mere ability to select an object in one screen and highlight in another screen (as in PTC) is not what is claimed. Instead, the claims provide for highlighting a keynote in the graphical illustration when the cursor is passed over the corresponding object property (both of which are in the properties palette as claimed). Thus, the present claims do not provide for selecting the object but merely passing the cursor over the object property in a properties palette. Further, the keynote in the graphical illustration (also within the properties palette) is highlighted instead of the “various component features” as in PTC.

In response to the above arguments, the Answer replies:

The combination of PTC into Clevenger yields that the BOM balloons represent parameters as described in Clevenger, thus highlighting from Clevenger as explained above is reflected to the BOM balloons.

Appellants respectfully disagree with and traverse such assertions. Again, the claims provide “highlighting the keynote displayed in the graphical illustration when the cursor is passed over the corresponding object property.” BOM balloons are not highlighting. Further, as can clearly be seen, the balloons are displayed regardless of whether a cursor is passed over an object in the BOM list. Accordingly, Clevenger completely fails to describe multiple aspects of the claims, explicitly or implicitly.

In view of the above, Appellants respectfully request reversal of the rejections.

4. Dependent Claims 4, 11, and 18

These dependent claims provide for highlighting the keynoted object properties (i.e., in the properties palette) when the cursor is passed over the corresponding keynote or property displayed in the graphical illustration (also within the properties palette). In rejecting these claims, the Office Action again admits Clevenger’s failure to teach the claim limitation and relies on PTC PDF page 26, paragraph 1 and PDF page 153, par. last. Page 26, paragraph 1 provides:

Model Tree Advanced Options

The items in the Model Tree are linked directly to the design database. As you select items in the tree, the features they represent are highlighted and selected in the graphics window. You can use the Model Tree to select objects during any operation. You can also right-click to start operations on objects selected in the tree.

Page 153, last paragraph provides:

Modify Part Dimension Values

You can modify assembly or part dimension values from within the assembly. In this exercise you modify the dimension of the antenna tip.

1. Use the right mouse button to select antenna .prt on the Model Tree. A shortcut menu appears, and your selection is highlighted on the model.

As can be seen, page 26, paragraph 1 merely provides the ability to select items in a tree and they are highlighted in a graphics window. Further, Page 153, last paragraph provides for modifying values in an assembly by selecting a part on a tree wherein the select is highlighted on a shortcut menu.

Nowhere in such text is there even a remote possibility to merely pass the cursor over a keynoted object property (without actually selecting the property) and in response, highlighting a corresponding keynoted object property in the properties palette (as claimed). All of the PTC cited text explicitly requires the user to select the parts to reflect a highlighting in a tree and reflect such highlighting in the graphics window. However, the present invention highlights the keynoted object property in a property palette when the cursor is passed over the property/keynote in the graphical illustration. Further, the present claims provide for all of the highlighting to occur within the properties palette (i.e., both the graphic illustration and the properties that are keynoted are both within the properties palette). Such a combination of elements is wholly and completely lacking, both explicitly and implicitly from the cited references.

In response to the above, arguments, the Answer provides:

The cursor over an object is not time specific by the claim, in such that PTC teaches that the user has to hover the mouse over the area of interest and click to highlight, the claim does not state when the highlight is taken place, whether is be automatic or after user interaction.

Appellants respectfully disagree with such assertions. The claims provide for the highlighting “when the cursor is passed over...” Thus, the claims do in fact provide for the timing

in that the highlighting occurs when the cursor is passed over the corresponding keynote or property. To state that one can read into such claims that a click is equivalent to a passing over is wholly without merit.

In view of the above, Appellants respectfully request reversal of the rejections.

5. Dependent Claims 5, 12, and 19

These dependent claims toggle the visibility of the illustration using a show/hide illustration button. In rejecting these claims, the Office Action admits Clevenger's failure to teach the claim limitations and the Action relies on PTC, PDF pg 145, paragraph 3, num 2 and pdf page 148, par 2, num. 1 to teach the claim limitations. Page 145, paragraph 3/num 2 provides the ability to select a hide menu option from a shortcut menu. Such a shortcut menu option is not equivalent to nor does it teach, describe, or suggest, a button as claimed. Further, hiding a part does not hide an entire illustration with keynoted properties as claimed.

Page 148, paragraph 2/num 1 describes using a "View>Unhide All" option to display a front cell phone cover in an illustration. Such a description is used in an assembly/model of various components and describes how to show all of the parts in an assembly/model. Again, such a teaching is not even remotely similar to displaying/not displaying an illustration within a properties palette that has keynoted properties as claimed.

In response to the above, the Examiner's Answer provides:

...a menu option in a menu graphical user interface element is a selectable area to activating a control, which is related to a button on a graphical user interface, in such that the same functionality exist between the two, a menu option from a menu is selected to execute a function or a button is selected to execute a function, the layout of the button to be specific is not claimed where it is visually stored and depicted in the final rendering of the graphical user interface.

Appellants respectfully disagree with and traverse such assertions. The claims explicitly provide for toggling the visibility of the illustration of the object in the properties palette. Appellants are not attempting to claim a specific location of the show/hide illustration button as the Examiner is asserting. Instead, Appellants are expressly claiming the concept of using such a button to toggle the visibility of the graphical illustration of the object that is displayed in the properties palette. Nowhere is there even a remote hint at the ability to toggle the view of such an illustration anywhere in the cited references. Again, hiding a particular part (or all of the parts) from the main

view of a drawing is not equivalent to toggling a keynoted graphical illustration that is displayed within a properties palette as claimed.

In view of the above, Appellants respectfully request reversal of the rejections.

6. Dependent Claims 6, 13, and 20 Are Not Separately Argued

B. Claims 7, 14 and 21 are Patentable under 35 U.S.C. §103(a) Over Clevenger and SkySof.

These dependent claims provide that the graphical illustration is enabled by an ActiveX application. The Office Action admits Clevengers failure to teach such capabilities and relies upon SkySof instead. SkySof merely states:

CAD.OCX is an ActiveX Control written in Visual Basic 6.0 for doing things in AutoCAD like drawing lines, circles, arcs, rectangles, 3D spheres, and 3D cones. The program can also calculate the length or midpoint of a line, calculate the midpoint of an arc, convert radians to degrees and vice versa, send characters to the AutoCAD command prompt, add single and multiple lines of text to a drawing, add a new layer, calculate the slope and angle of a line, and switch to model and paper space.

As can be seen such text does not provide for enabling a graphical illustration within a properties palette using an ActiveX control. Instead, the text merely provides a summary of what CAD.OCX can provide in an AutoCAD environment. Such a description does not describe, hint, nor suggest that a graphical illustration (within a properties palette) can be enabled using an ActiveX application (as claimed).

In response to the Examiner's Answer, Appellants reassert the arguments above.

In view of the above, Appellants respectfully request reversal of the rejections.

C. Whether a Proper PTO Form 892 has Become Part of the Record.

Applicants note that to date, the only PTO Form 892 that has been received referring to Clevenger, PTC, and/or Skysof was mailed with the Office Action of July 28, 2006. Therein, the pages of Clevenger cited were pp. 120-126. However, in subsequent Office Actions, additional pages of Clevenger have been cited including pages 29, 130, 131, 230-238, etc. On October 9, 2007, an interview was conducted with Examiner Augustine wherein Attorney's for Applicant requested a new PTO 892 form. Examiner Augustine agreed and indicated that he had already submitted a new

892 form. However, the Advisory Action mailed on October 22, 2007 did not include a new 892 form and a new form has not yet been received. Accordingly, Applicants submit that the records of the Patent Office are incomplete and fail to properly reflect the art cited by the Patent Office. Thus, Applicants respectfully request a new PTO form 892 be issued.

In response to the above, the Answer asserts that a proper form was provided. Appellants note that the form provided by the PTO does not include all of the pages cited by the Patent Office to date. Further, Appellants are appealing this issue since the Patent Office appears unable to resolve the issue.

Conclusion

In light of the above arguments, Appellants respectfully submit that the cited references do not anticipate nor render obvious the claimed invention. More specifically, Appellants' claims recite novel physical features which patentably distinguish over any and all references under 35 U.S.C. §§ 102 and 103. As a result, a decision by the Board of Patent Appeals and Interferences reversing the Examiner and directing allowance of the pending claims in the subject application is respectfully solicited.

Respectfully submitted,

GATES & COOPER LLP

Attorneys for Applicant(s)

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045
(310) 641-8797

Date: July 11, 2008

By: /Jason S. Feldmar/
Name: Jason S. Feldmar
Reg. No.: 39,187

JSF/sjm

G&C 30566.254-US-U1

CLAIMS APPENDIX

1. (PREVIOUSLY PRESENTED) A method for displaying a graphical illustration of an object in a computer graphics program, comprising:
obtaining an object in a computer graphics program;
displaying a properties palette for the object, wherein the properties palette comprises one or more object properties having corresponding property values;
displaying a graphical illustration of the object in the properties palette, wherein one or more of the object properties, in the properties palette, are keynoted to refer to corresponding keynotes displayed in the graphical illustration in the properties palette.

2. (CANCELLED)

3. (PREVIOUSLY PRESENTED) The method of claim 1, further comprising highlighting the keynote displayed in the graphical illustration when the cursor is passed over the corresponding object property.

4. (PREVIOUSLY PRESENTED) The method of claim 1, further comprising highlighting one or more keynoted object properties when the cursor is passed over the corresponding keynote or property displayed in the graphical illustration.

5. (ORIGINAL) The method of claim 1, further comprising toggling the visibility of the illustration using a show/hide illustration button.

6. (ORIGINAL) The method of claim 1, further comprising changing the view of the object displayed in the graphical illustration using a shortcut menu.

7. (ORIGINAL) The method of claim 1, wherein the graphical illustration is enabled by an ActiveX application.

8. (PREVIOUSLY PRESENTED) An apparatus for displaying a graphical illustration of an object in a computer graphics program of a computer system comprising:

- (a) a computer having a memory;
- (b) an application executing on the computer, wherein the application is configured to:
 - (i) obtain an object in a computer graphics program;
 - (ii) display a properties palette for the object, wherein the properties palette comprises one or more object properties having corresponding property values;
 - (iii) display a graphical illustration of the object in the properties palette, wherein one or more of the object properties, in the properties palette, are keynoted to refer to corresponding keynotes displayed in the graphical illustration in the properties palette.

9. (CANCELLED)

10. (PREVIOUSLY PRESENTED) The apparatus of claim 8, wherein the application is further configured to highlight the keynote displayed in the graphical illustration when the cursor is passed over the corresponding object property.

11. (PREVIOUSLY PRESENTED) The apparatus of claim 8, wherein the application is further configured to highlight one or more keynoted object properties when the cursor is passed over the corresponding keynote or property displayed in the graphical illustration.

12. (ORIGINAL) The apparatus of claim 8, wherein the application is further configured to toggle the visibility of the illustration using a show/hide illustration button.

13. (ORIGINAL) The apparatus of claim 8, wherein the application is further configured to change the view of the object displayed in the graphical illustration using a shortcut menu.

14. (ORIGINAL) The apparatus of claim 8, wherein the graphical illustration is enabled by an ActiveX application.

15. (PREVIOUSLY PRESENTED) An article of manufacture comprising a program storage medium readable by a computer and embodying one or more instructions executable by the computer to perform a method for displaying a graphical illustration of an object in an object-oriented computer graphics system, the apparatus comprising:

means for obtaining an object in a computer graphics program;

means for displaying a properties palette for the object, wherein the properties palette comprises one or more object properties having corresponding property values;

means for displaying a graphical illustration of the object in the properties palette, wherein one or more of the object properties, in the properties palette, are keynoted to refer to corresponding keynotes displayed in the graphical illustration in the properties palette.

16. (CANCELLED)

17. (PREVIOUSLY PRESENTED) The article of manufacture of claim 15, further comprising means for highlighting the keynote displayed in the graphical illustration when the cursor is passed over the corresponding object property.

18. (PREVIOUSLY PRESENTED) The article of manufacture of claim 15, further comprising means for highlighting one or more keynoted object properties when the cursor is passed over the corresponding keynote or property displayed in the graphical illustration.

19. (ORIGINAL) The article of manufacture of claim 15, further comprising means for toggling the visibility of the illustration using a show/hide illustration button.

20. (ORIGINAL) The article of manufacture of claim 15, further comprising means for changing the view of the object displayed in the graphical illustration using a shortcut menu.

21. (ORIGINAL) The article of manufacture of claim 15, wherein the graphical illustration is enabled by an ActiveX application.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.